

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JORGE BECERRO,	:	
	:	
Plaintiff,	:	
	:	22-CV-9637 (VSB)
v.	:	
	:	<u>ORDER</u>
EL VATO WINE CORP. d/b/a BAZAR	:	
TAPAS BAR, and LADISLAV KULISEK,	:	
	:	
Defendants.	:	
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VERNON S. BRODERICK, United States District Judge:

On November 11, 2022, Plaintiff filed a complaint against Defendants El Vato Wine Corporation and Ladislav Kulisek. (Doc. 1.) On November 23, 2022, Plaintiff filed proof of service indicating that Defendants were served on November 15, 2022, and their answer was therefore due on December 6, 2022. (*See* Doc. 8.) On December 15, 2022, after Defendants failed to answer or otherwise respond to the Complaint, I issued an order directing Plaintiff to file for default judgment. (Doc. 9.) The following day, Jack Zahran, on behalf of Defendants, filed a waiver of service, extending Defendants' time to answer to February 13, 2023. (Doc. 10.) On February 10, 2023, Jack Zahran, again on behalf of Defendants, filed an answer to the Complaint. (Doc. 12.)

The document labeled as Defendant El Vato Wine Corporation's answer, (Doc. 12), cannot be considered an answer in this action as corporations cannot appear *pro se* and must be represented by counsel in federal cases. *See Pecarsky v. Galaxiworld.com Ltd.*, 249 F.3d 167, 172 (2d Cir. 2001) (finding that defendant corporation can only appear with counsel and cannot be represented *pro se* by its principal). Accordingly, it is hereby:

ORDERED that Defendant El Vato Wine Corporation retain counsel and that Defendant's counsel file a notice of appearance by March 7, 2023.

IT IS FURTHER ORDERED that Defendant Ladislav Kulisek indicate by March 1, 2023, whether Defendant intends to proceed *pro se*. If Defendant Kulisek intends to retain counsel, Defendant's counsel shall file a notice of appearance by March 7, 2023.

IT IS FURTHER ORDERED that all deadlines in this case are stayed until March 7, 2023.

SO ORDERED.

Dated: February 14, 2023
New York, New York

A handwritten signature in black ink, reading "Vernon Broderick", written over a horizontal line.

Vernon S. Broderick
United States District Judge